

REMARKS

Claims 18-40 remain in this application. Claims 1-17 were previously canceled. Reconsideration of the application is requested.

Claim 32 is in proper form as presented previously, and the other informalities discussed by the Examiner in sections 1 and 3 on page 2 of the Office Action are eliminated above. It is respectfully submitted that all of the claims in this application are now in proper form and comply with the requirements of 35 U.S.C. § 112, second paragraph.

Independent claims 18 and 27 are rejected under 35 U.S.C. § 102(b), along with various dependent claims, as anticipated by U.S. Patent 3,217,487 to Rothe. Reconsideration is requested. The Rothe patent does not disclose an internal combustion engine having an exhaust gas recirculation device as claims 18 and 27 require; the Rothe supercharger patent is not concerned at all with exhaust gas recirculation. To the extent that exhaust gas is not discharged into the Rothe tail pipe 10 after passing through the turbine 8, it is by-passed through a pipe 13 to send the exhaust gas directly into the tail pipe when a maximum exhaust pressure has been exceeded. In any event, the Rothe patent neither discloses nor suggests the features set forth in currently amended claims 18 and 27 above. Withdrawal of the rejection of both claim 18 and claim 27 based on the Rothe patent is in order and is requested. Nothing in the other documents discussed in sections 6, 10, or 11 on pages 6-13 of the Office Action suggests modifying the Rothe supercharger so as to meet the limitations noted, moreover, and claims 18 and 27 above should now be patentable. Claims 19-26, which

depend on claim 18, and claims 28-34, which depend on claim 27, are considered patentable as well.

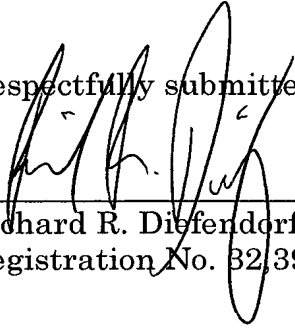
Independent claim 35 is rejected under 35 U.S.C. § 102(b), along with dependent claims 36-40, as anticipated by U.S. Patent 4,249,382 to Evans et al. Reconsideration is requested. Claim 35 is amended above to recite that the method includes discharging exhaust gas from each cylinder group separately via a respective exhaust pipe that is feedable to the exhaust gas turbocharger. The Evans et al. system is not operated in a manner meeting the limitations now appearing in claim 35, and the anticipation rejection of claim 35 is overcome. The other prior art relied on by the Examiner fails to suggest modifying the Evans et al. system so as to be operated as claim 35 now requires, moreover, and claim 35 above should now be patentable. Dependent claims 36-40 should be patentable as well.

This application should now be in allowable condition. If there are any questions regarding this Reply or the application in general, a telephone call to the undersigned would be appreciated since this should expedite the prosecution of the application for all concerned.

If necessary to effect a timely response, this paper should be considered as a petition for an extension of time sufficient to effect a timely response. Please charge any deficiency in fees or credit any overpayments to Deposit Account No. 05-1323 (Docket #095309.57193US).

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Respectfully submitted,



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